

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 53080
Ken NISHIMURA, et al. : Confirmation Number: 4018
Application No.: 10/540,867 : Group Art Unit: 1795
Filed: June 27, 2005 : Examiner: Bryant P. Suitte
For: ELECTROCHEMICAL DEVICE AND METHOD FOR PRODUCING THE SAME

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

CERTIFICATION PARAGRAPH

The undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a

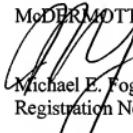
counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement as described in 37 CFR 1.97(e)(1).

The reference **JP 11-505958** was cited in a corresponding Japanese application office action and its relevance discussed therein. A copy of the Japanese Office Action is attached for the Examiner's information. Please note that the reference **JP 05-314994** has been previously cited in an Information Disclosure Statement filed June 27, 2005.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:mjb
Facsimile: 202.756.8087
Date: June 2, 2009

**Please recognize our Customer No. 53080
as our correspondence address.**